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DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**INJECTABLE FORMULATIONS CONTAINING SUCCINATE**

the specification of which (check one)  is attached hereto  was filed on April 2, 1999 as Application Serial No. 09/285,429 and was amended on  (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

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I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s) Number	Country	Day/Month/Year Filed	Priority Claimed <u>Yes</u> <u>No</u>
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I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status <u>Patented, Pending, Abandoned</u>
60/080,008	03-APRIL-1998	X

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I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States code and that such willful false

statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Bret A. Shirley

Inventor's signature M/A. SJ Date 26 May 1999

Residence Concord, California

Citizenship United States of America

Post Office Address c/o Chiron Corporation, P.O. Box 8097, Emeryville, CA 94662-8097

Full name of second inventor Maninder S. Hora

Inventor's signature MH Date 20 MAY 1999

Residence Danville, California

Citizenship United States of America

Post Office Address c/o Chiron Corporation, P.O. Box 8097, Emeryville, CA 94662-8097

**ASSIGNMENT**

WHEREAS, **We, BRETA A. SHIRLEY and MANINDER S. HORA**, hereinafter referred to as **ASSIGNORS**, have co-invented certain improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: INJECTABLE FORMULATIONS CONTAINING SUCCINATE

Date of Execution: May 20, 1999 and May 26, 1999

Filing Date: April 2, 1999

Serial No: 09/285,429

WHEREAS, **CHIRON CORPORATION**, located at 4560 Horton Street, Emeryville, California 94608-2916, hereinafter referred to as **ASSIGNEE**, is desirous of acquiring the entire right, title and interest in the said invention and application and in any Letters Patent which may be granted on the same;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for and in consideration of the sum of One Dollar (\$1.00) lawful money paid to **ASSIGNORS** by **ASSIGNEE**, receipt of which is hereby acknowledged, **ASSIGNORS** have sold, assigned and transferred, and by these presents do sell, assign and transfer unto said **ASSIGNEE**, and **ASSIGNEE'S** successors and assigns, all right, title and interest in and to the said invention, said application for United States Letters Patent, and any Letters Patent which may hereafter be granted on the same in the United States and all countries throughout the world including any divisions, renewals, continuations in whole or in part, substitutions, conversions (*including conversions claiming priority under 35 U.S.C. § 119(e)*), reissues, prolongations or extensions thereof, the said interest to be held and enjoyed by said **ASSIGNEE** as fully and exclusively as it would have been held and enjoyed by said **ASSIGNORS** had this assignment and transfer not been made, to the full end and term of any Letters Patent.

**ASSIGNORS** also agree that the U.S. serial number and the filing date may be entered above by **ASSIGNEE** or its agents upon designation of the serial number and the filing date by the U.S. Patent and Trademark Office.

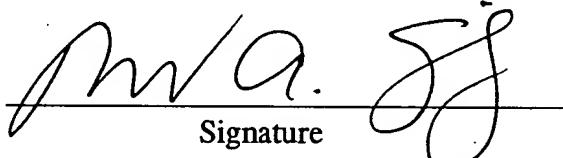
**COPY**

ASSIGNORS further agree that they will, without charge to said ASSIGNEE, but at ASSIGNEE'S expense, cooperate with ASSIGNEE in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as ASSIGNEE lawfully may request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said ASSIGNEE, or ASSIGNEE'S successors and assigns.

IN TESTIMONY WHEREOF, ASSIGNORS have hereunto signed their names to this assignment on the dates indicated below.

INVENTOR: BRET A. SHIRLEY

DATE 26 May 1999

  
Signature

State of California

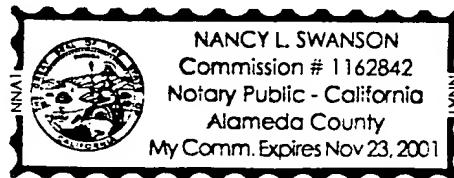
County of Alameda

On May 26, 1999 before me, Nancy L. Swanson, Notary Public, personally appeared Bret A. Shirley, personally known to me OR proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Signature of Notary Public



Notary Seal

**CCOPY**

**INVENTOR: MANINDER S. HORA**

DATE 20 MAY 1999

1410.02

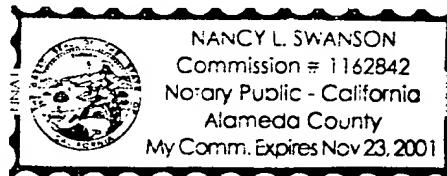
Signature

State of California

County of Alameda

On 5/20/99 before me, Nancy L. Swanson, Notary Public,  
personally appeared Maninder S. Hora personally known to me OR proved  
to me on the basis of satisfactory evidence to be the person whose name is subscribed to the  
within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the  
instrument the person(s), or the entity upon behalf of which the person(s) acted, executed  
the instrument.

WITNESS my hand and official seal.



Nancy L. Swanson  
Signature of Notary Public

Notary Seal

**COPY**

DO NOT FORWARD TO ASSIGNMENT BRANCH